UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION DOCKET NO. 5:17-cv-00171-FDW

| DONALD HONAKER, |) | |
|---|-------------|-------|
| Plaintiff, |))) | |
| vs. |) | |
| |) | ORDER |
| NANCY A. BERRYHILL, |) | |
| Acting Commissioner of Social Security, |) | |
| Defordant |) | |
| Defendant. |) | |
| | <u> </u> | |

THIS MATTER is before the Court on Plaintiff's "Petition for Attorney Fees under the Equal Access to Justice Act 28 U.S.C. § 2412." (Doc. No. 16). Pursuant the Equal Access to Justice Act ("EAJA"), Plaintiff moves for the sum of \$3,600.00. Defendant's counsel consents to the requested fee. (Doc. No. 16 at 3). As Plaintiff has timely filed a motion satisfying the provisions of 28 U.S.C. § 2412 (d)(1)(B) and Defendant consents to the requested fee, the Court GRANTS Plaintiff's Petition for Attorney Fees under the EAJA (Doc. No. 16).

It is therefore ORDERED that the Commissioner of Social Security pay to Plaintiff the sum of \$3,600.00 in attorney fees, in full satisfaction of any and all claims arising under EAJA, 28 U.S.C. § 2412(d). If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made by check payable to Plaintiff's counsel, Charlotte Hall, and mailed to her office at P.O. Box 10629 Raleigh, North Carolina 27605, in accordance with Plaintiff's assignment to his attorney of his right to payment of attorney's fees under the EAJA. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel's office address.

IT IS SO ORDERED.

Signed: June 4, 2018

Frank D. Whitney
Chief United States District Judge